

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:21-CV-099-KDB-DCK**

TYQUANE L. WHITE,

Plaintiff,

v.

TOWN OF MOORESVILLE ,

Defendant.

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ORDER

THIS MATTER IS BEFORE THE COURT regarding a discovery dispute. This case has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate.

On August 25, 2022, Defendant's counsel submitted an email to the undersigned's chambers reporting that the parties still had a discovery issue/dispute and seeking a telephone conference pursuant to the Honorable Kenneth D. Bell's "...Case Management Order" (Document No. 11, pp. 6-7). The undersigned held a telephone conference with the parties' counsel on August 29, 2022.

The crux of the dispute is that Plaintiff has failed to provide complete responses to discovery requests issued on or about March 16, 2022, including: information regarding Plaintiff's claimed damages; medical records related to Plaintiff's claims; records of subsequent income earned by Plaintiff, including W-2s and tax returns (2018-2021); and records of Plaintiff's efforts to find other employment. As discussed during the telephone conference, there appears to be no disagreement that the requested discovery is relevant and proportional to the needs of the case. Rather, for reasons that remain unclear, Plaintiff has been delayed in providing all the requested

information to his counsel (and thus to Defendant). However, Plaintiff's counsel indicated that she expects the requested information to be available by the end of this week.

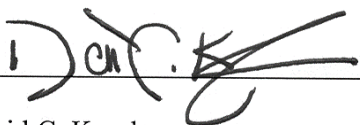
IT IS, THEREFORE, ORDERED that Plaintiff shall provide complete responses to Defendant's discovery requests on or before **Friday, September 2, 2022**.

IT IS FURTHER ORDERED that if Plaintiff fails to provide complete discovery responses as ordered by the Court, Defendant may seek sanctions and/or other relief that might include dismissal for failure to prosecute.

IT IS FURTHER ORDERED, *sua sponte*, that the discovery deadline is extended for the limited purpose of conducting Plaintiff's deposition to **September 16, 2022**.

SO ORDERED.

Signed: August 29, 2022



David C. Keesler
United States Magistrate Judge

